

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>SHANNON GARCIA,</b>	:	<b>CIVIL ACTION NO. 1:16-CV-989</b>
<b>Plaintiff,</b>	:	
	:	
	:	<b>(Chief Judge Conner)</b>
<b>v.</b>	:	
	:	
	:	
<b>BCD TRAVEL USA LLC,</b>	:	
<b>Defendant</b>	:	

**ORDER REFERRING CASE TO MEDIATION  
AND APPOINTING MEDIATOR**

In accordance with the Civil Justice Reform Act of 1990 Expense and Delay Reduction Plan of the United States District Court for the Middle District of Pennsylvania, and given the nature of this proceeding which suggests that mediation might be of benefit to the parties and the Court, it is imperative that all avenues of settlement be explored prior to trial. Therefore, in accordance with the rules governing mediation set forth in Chapter VI of the Rules of the Middle District of Pennsylvania, **IT IS HEREBY ORDERED THAT:**

(a) **Referral to Mediation:** This case shall be referred to the mediation process in an attempt to achieve an equitable settlement of the issues. The following individual is hereby appointed by the Court to serve as a mediator in this action:

Helen L. Gemmill, Esquire  
McNees Wallace & Nurick LLC  
100 Pine Street  
Harrisburg 17101  
T: (717) 237-5273  
F: (717) 260-1697

**(b) Scheduling and Conduct of Mediation Conference(s):** The mediation conference(s) shall be scheduled and conducted in accordance with Rules 16.8.5 and 16.8.6 of the Middle District. The first such mediation session shall be held within sixty (60) days of the date of this order at a time, date, and location to be set by the mediator.

**(c) General Rules Governing the Mediation Conference:** All counsel and the mediator are to become familiar with Chapter VI, ALTERNATIVE DISPUTE RESOLUTION, of the Local Rules for the U.S. District Court, Middle District of Pennsylvania.

**(d) Compensation of the Mediator:** In accordance with Rule 16.8.3 of the Middle District, the services of the mediator shall be provided pro bono.

No later than ten (10) days from the date of this Order, any party may file and serve written objections to this Order. Any such objections shall also be served upon the mediator. The absence of any such objection shall constitute acknowledgment and consent to the terms of this Order.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania

Dated: September 15, 2016

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FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>SHANNON GARCIA,</b>	:	<b>CIVIL ACTION NO. 1:16-CV-989</b>
<b>Plaintiff,</b>	:	
	:	<b>(Chief Judge Conner)</b>
<b>v.</b>	:	
	:	
<b>BCD TRAVEL USA LLC,</b>	:	
<b>Defendant</b>	:	

**MEDIATION REPORT**

In accordance with the Court's mediation order, a mediation conference was held on \_\_\_\_\_, and the results of that conference are indicated below:

(a) The following individuals, parties, corporate representatives, and/or claims professionals attended and participated in the mediation conference, and each possessed the requisite settlement authority:

- All individual parties and their counsel.  
 Designated corporate representatives.  
 Required claims professionals.  
 Other (Describe). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) The following individuals, parties, corporate representatives, and/or claims professionals failed to appear and/or participate as ordered:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) The outcome of the mediation conference was:

**The case has been completely settled.** Counsel will promptly notify the court of settlement by the filing of a settlement agreement signed by the parties and the mediator within ten (10) days of this report.

**The case has been partially resolved.** Counsel have been instructed to file with the court, a joint stipulation regarding those claims which have been resolved within ten (10) days of this report. The following issues remain for this court to resolve:

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**The parties have reached an impasse.**

Done this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Signature of Mediator

\_\_\_\_\_  
Name of Mediator

Phone (\_\_\_\_) \_\_\_\_ - \_\_\_\_